

FORM 100-100
(REV. 12-83)U.S. DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION

THIS SPACE FOR ITA USE

865126

REPORT OF REQUEST FOR RESTRICTIVE TRADE PRACTICE OR BOYCOTT
SINGLE TRANSACTION(For reporting requests described in Part 369 of the Export Administration
Regulations)

Pursuant to section 4A (b) (2) of the Export Administration Act of 1969, as amended (50 U.S.C. App. 2401 et seq.), information regarding the quantity, description, and value of any articles, materials and supplies, including technical data and other information, to which this report relates will be kept confidential when the reporting person certifies that disclosure would place a United States person involved at a competitive disadvantage, unless the Secretary of Commerce determines that disclosure thereof would not place such United States person at a competitive disadvantage or that it would be contrary to the national interest to withhold the information.

A		BATCH 37		5	
1		MONTH/YEAR 03 99		6	
RSN		SUBSET		16 17	
10		15		16 17	
RTP		18		27	
CLASS		FILING		TAG	
28		55		70 80	

This report is required by law (50 U.S.C. App. §2407 (b) (2) P.L. 96-72; E.O. 12214; 15 C.F.R. Part (369). Failure to report can result both in criminal penalties, including fines or imprisonment, and administrative sanctions.

INSTRUCTIONS: Complete all items that apply. Assemble original report form and accompanying document(s) as a unit, and submit intact and unaltered. Assemble and submit a duplicate copy of report form and documents, marked with the legend "PUBLIC INSPECTION COPY." If the reporting firm certifies that disclosure of certain information specified in Item 10 below would result in competitive disadvantage, the public inspection copy (report form and accompanying documents) must be edited accordingly.

1a. Identify firm submitting this report:

Name: **Carrier International Corp.**
Address: **One Carrier Place**
City, State and ZIP: **Farmington, CT 06034**
Country (if other than USA):
Telephone: **860-674-3261**
Firm Identification No. (if known): **108755**

Specify firm type:

- ☒ Exporter
☐ Bank
☐ Forwarder
☐ Carrier
☐ Insurer
☐ Other

1b. Check any applicable box:

- ☒ Revision of a previous report (attach two copies of the previously submitted report)
☐ Resubmission of a deficient report returned by BTR (attach form letter that was returned with deficient report)
☐ Report on behalf of the person identified in Item 2
☐ Dual report on behalf of self and the person identified in Item 2

2. If you are authorized to report and are reporting on behalf of another U.S. person, identify that person (e.g., domestic subsidiary, controlled foreign subsidiary, exporter, beneficiary):

Name:

Address:

City, State and ZIP:

Country (if other than U.S.A.):

Type of firm: (see list in Item 1a)

Firm Identification No. (if known):

3. Identify exporting firm, unless same as Item 1a or 2:

Name:

Address:

City, State and ZIP:

Country (if other than U.S.A.):

Firm Identification No. (if known):

36-41

42

4. (a) Name of boycotting country from which request originated:

(b) Name of country directing inclusion of request, if different from (a) above:

43-44

5. Name of country or countries against which request is directed:

Israel

45-46

6. Reporting firm's reference number (e.g., letter of credit, customer order, invoice):

C9-0-C

71-77

7. Date firm received request: (use digits for month/day/year)

11/2/98

47-52

8. Specify type(s) of document conveying the request:

- ☐ Request to carrier for blacklist certificate (submit two copies of blacklist certificate or transcript of request)
☐ Unwritten, not otherwise provided for (make transcript of request and submit two copies)

53-54

- ☐ Letter of credit
☒ Requisition/purchase order/accepted contract/shipping instruction
☐ Bid invitation/tender/proposal/trade opportunity
☐ Questionnaire (not related to a particular dollar value transaction)
☐ Other written (specify) _____

Submit two copies of each document or relevant page in which the request appears

9. Decision on request: (Check one)

- ☒ Have not taken and will not take the action requested.
☐ Have taken or will take the action requested.
☐ Have taken or will take the action requested and claim it is subject to a grace period (attach detailed explanation).

56-57

- ☐ Have taken or will take the action requested but in a modified form (attach detailed explanation).
☐ Unable to report ultimate decision on the request at this time and will inform the Bureau of Trade Regulation of the decision within ten days after decision is made.

Additional information: The firm submitting this report may, if it so desires, state on a separate sheet any additional information relating to the request reported or the response to that request. This statement will constitute a part of the report and will be made available for public inspection and copying.

10. Unless indicated otherwise by checkmark in the box below, I (we) certify that disclosure to the public of the information regarding quantity, description, and value of the commodities or technical data contained in Item 11 below would place a United States person involved at a competitive disadvantage, and I (we) request that it be kept confidential. I (We) certify that all statements and information contained in this report are true and correct to the best of my (our) knowledge and belief.

Andrea M. Quercia

Sign here in ink

Signature of person completing report)

Type or print

Paralegal

Date

(Name and title of person whose signature appears on line to left)

- ☐ I (We) authorize public release of all information contained in this report.

(Remove stub from public inspection copy at perforation if confidentiality is requested in Item 10)

FORM ITA-21P
(REV 12-83)U.S. DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION

THIS SPACE FOR ITA USE

865125

REPORT OF REQUEST FOR RESTRICTIVE TRADE PRACTICE ON BOYCOTT
SINGLE TRANSACTION(For reporting requests described in Part 309 of the Export Administration
Regulations)

Pursuant to section 3A (b) (2) of the Export Administration Act of 1969, as amended (50 U.S.C. App. 2401 et seq.), information regarding the quantity, description, and value of any articles, materials and supplies, including technical data and other information, to which this report relates will be kept confidential when the reporting person certifies that disclosure would place a United States person involved at a competitive disadvantage, unless the Secretary of Commerce determines that disclosure thereof would not place such United States person at a competitive disadvantage or that it would be contrary to the national interest to withhold the information.

This report is required by law (50 U.S.C. App. §2407 (b) (2) P.L. 96-72; E.O. 12214; 15 C.F.R. Part 369). Failure to report can result both in criminal penalties, including fines or imprisonment, and administrative sanctions.

INSTRUCTIONS: Complete all items that apply. Assemble original report form and accompanying document(s) as a unit, and submit intact and unaltered. Assemble and submit a duplicate copy of report form and documents, marked with the legend "PUBLIC INSPECTION COPY," if the reporting firm certifies that disclosure of certain information specified in item 10 below would result in competitive disadvantage. The public inspection copy (report form and accompanying documents) must be edited accordingly.

1a. Identify firm submitting this report:

Specify firm type:

Name: **Carrier International Corp.** ☒ Exporter
Address: **1 Carrier Place** ☐ Bank
City, State and ZIP: **Farmington, CT 06031** ☐ Forwarder
Country (if other than USA): ☐ Carrier
Telephone: **860-674-3261** ☐ Insurer
Firm Identification No. (if known): **108755** ☐ Other

1b. Check any applicable box:

- ☐ Revision of a previous report (attach two copies of the previously submitted report)
☐ Resubmission of a deficient report returned by BTR (attach form letter that was returned with deficient report)
☐ Report on behalf of the person identified in item 2
☐ Dual report on behalf of self and the person identified in item 2

2. If you are authorized to report and are reporting on behalf of another U.S. person, identify that person (e.g., domestic subsidiary, controlled foreign subsidiary, exporter, beneficiary):

Name:
Address:
City, State and ZIP:
Country (if other than U.S.A.):
Type of firm: (see list in item 1a)
Firm Identification No. (if known):

3. Identify exporting firm, unless same as item 1a or 2:

Name:
Address:
City, State and ZIP:
Country (if other than U.S.A.):
Firm Identification No. (if known):

4. (a) Name of boycotting country from which request originated:

Kuwait

(b) Name of country directing inclusion of request, if different from (a) above:

5. Name of country or countries against which request is directed:

Israel

6. Reporting firm's reference number (e.g., letter of credit, customer order, invoice):

C9-0-C

7. Date firm received request (use digits for month/day/year)

11/2/98

8. Specify type(s) of document conveying the request:

- ☐ Request to carrier for blacklist certificate (submit two copies of blacklist certificate or transcript of request)
☐ Unwritten, not otherwise provided for (make transcript of request and submit two copies)

☐ Letter of credit☒ Acquisition/purchase order/accepted contract/shipping instruction☐ Bid invitation/tender/proposal/trade opportunity☐ Questionnaire (not related to a particular dollar value transaction)☐ Other written (specify) _____

Submit two copies of each document or relevant page in which the request appears

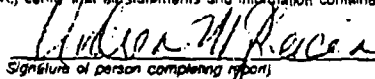
9. Decision on request: (Check one)

☒ Have not taken and will not take the action requested.☐ Have taken or will take the action requested.☐ Have taken or will take the action requested and claim it is subject to a grace period (attach detailed explanation).☐ Have taken or will take the action requested but in a modified form (attach detailed explanation).☐ Unable to report ultimate decision on the request at this time and will inform the Bureau of Trade Regulation of the decision within ten days after decision is made.

Additional information: The firm submitting this report may, if it so desires, state on a separate sheet any additional information relating to the request reported or the response to that request. This statement will constitute a part of the report and will be made available for public inspection and copying.

10. Unless indicated otherwise by checkmark in the box below, I (we) certify that disclosure to the public of the information regarding quantity, description, and value of the commodities or technical data contained in item 11 below would place a United States person involved at a competitive disadvantage, and I (we) request that it be kept confidential. I (We) certify that all statements and information contained in this report are true and correct to the best of my (our) knowledge and belief.

Sign here in ink



Signature of person completing report

Type or print

Andrea M. Quercia
Paralegal

(Name and title of person whose signature appears on line to left)

Date **1/2/99**☐ I (We) authorize public release of all information contained in this report.

(Remove stub from public inspection copy at perforation if confidentiality is requested in item 10)

11. Describe the commodities or technical data involved, and specify quantity and value:

Description **Air Conditioning Equipment**Quantity: **1 Lot**Value to nearest whole dollar \$ **1,500,000**

TRIPPLICATE - Retain for reporting firm's use

58-69

Carrier Corporation
One Carrier Place
P.O. Box 4015
Farmington, CT 06034-4015
860-674-3000



Carrier

A United Technologies Company

VIA AIRBORNE EXPRESS - # 283628 6714

March 26, 1999

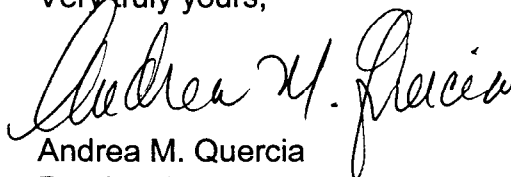
Office of Antiboycott Compliance
BXA - Room 6098
U.S. Department of Commerce
Washington, DC 20230

ATTN: Reporting Processing Unit (RPU)

Re: **ANTIBOYCOTT REPORT**

Attached is a "Report of Request for Restrictive Trade Practice or Boycott - Single Transactions" for the Fourth Quarter 1998 for Carrier International Corporation. In accordance with instructions from Michelle Hill, this is a revision of a previous report.

Very truly yours,



Andrea M. Quercia
Paralegal

Attachment

cc: C. Hildebrand

Revision of C9-O-C

March 16, 1999 – Message from United Arab Shipping Company to Carrier:

In reply to your message as well as your telcon 2 days ago, we are glad to inform you that our legal department has accepted your wording.

"The substitute wording state the same restriction as the original provision. However the vendor must unambiguously understand and tacitly agree the operation of the contract and supply of goods thereunder would not contravene the Arab-Israeli boycott regulations in any manner"

March 17, 1999 – Message from Carrier to United Arab Shipping Company:

As I previously stated we can not agree with the statements made in your contract. We are glad that your legal department has accepted our proposed wording, but that we cannot agree with or comply in any manner with the Arab-Israeli Boycott regulations. If this is a condition of the contract, we are expressly prohibited by US Law with accepting the contract.

Re: C9-0-C

The "Conditions of the Contract" requires, "The Builder shall ensure that no materials or equipment or services shall be used in the construction of the Reefer Machinery which by virtue of their origin or supply would contravene any relevant Laws of Kuwait."

We have advised that the statement as is be deleted from the contract in its entirety and suggested language to replace it as , "...all materials or equipment or services shall be used in the construction of the Reefer Machinery are of U.S. origin."

NOU 03 1998 14:23 FR CTD LEGAL
 09-000-00 02 37 CARRIER TRANS:COLD (C)

315 432 7857 TO LAW FARMINGTON
 FAX 88 010 40 1300

P.05/22
 10/1

"Acceptance" means Buyer's certification that Reefer Machinery has been inspected and accepted in accordance with the terms of the Contract, Production Schedule and Specifications, and will take place after commissioning.

SINGULAR AND PLURAL

Words importing the singular only also includes the plural and vice versa where the context requires.

HEADINGS OR NOTES

Headings or notes in these General Conditions shall not be deemed to be part thereof or be taken into consideration in the interpretation or construction thereof of the Contract.

1. PARTICULARS OF THE REEFER MACHINERY AND STANDARD OF CONSTRUCTION.

- 1.1 The Builder shall design, build, equip and deliver the Reefer Machinery in accordance with this Contract and the Specifications attached hereto as Appendix (I) ("The Specifications"), the Production attached hereto as Appendix (II) ("The Production Schedule"), and the Delivery Schedule attached hereto as Appendix (III) ("The Delivery Schedule"). References herein to the Specifications, Production and the Delivery Schedule shall be deemed to be references to each such document as the same may be amended or supplemented from time to time hereafter by mutual Contract between the parties hereto.
- 1.2 The Specifications, Production and Delivery Schedule shall form an integral part of this Contract. In the event of any inconsistency between this Contract and the Specifications and/or the Production Schedule and the Delivery Schedule, the provisions of this Contract shall have precedence.
- 1.3 The Reefer Machinery:
 - 1.3.1 be designed in accordance with the best standards of design, construction, and practice;
 - 1.3.2 have the characteristics described in the Specifications;
 - 1.3.3 be properly engineered with good workmanship;
 - 1.3.4 be delivered in good working order and condition fit for service in International Intermodal trade;
 - 1.3.5 be commissioned by the Builder or its representative at the container factory's site.
- 1.4 The Reefer Machinery shall be constructed in a good and workmanlike manner using sound and suitable materials and equipment so as to comply with the Specifications and with the rules and regulations referred to in this Contract.
- 1.5 The Builder shall ensure that no materials or equipment or services shall be used in the construction of the Reefer Machinery which by virtue of their origin or supply would contravene any relevant Laws of Kuwait.

Model RM-1-98

Contract No. C9-0-C
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** TOTAL PAGE.03 **